

REMARKS/ARGUMENTS

In the office action, new corrected drawings in compliance with 37 CFR 1.121(d) are being required in this application because the figures are all hand drawn. It is respectfully noted that the undersigned representative of the applicants previously filed formal drawings in the USPTO on December 12, 2003, as also shown in USPTO PAIR. A copy of the filed formal drawings is being enclosed herewith. For the above reasons, Applicants request reconsideration and withdrawal of the objection to the drawings.

In the office action, the abstract of the disclosure was objected to because it exceeded the 150-word limit. In response to the objection, the abstract is being amended above to overcome the objection. For the above reasons, Applicants request reconsideration and withdrawal of the objection to the abstract.

In the office action, the disclosure was objected to because the "Technical Field" section on page 1 is allegedly confusing as written. In response to the objection, the Technical Field section is being amended above to overcome the objection. For the above reasons, Applicants request reconsideration and withdrawal of the objection to the disclosure.

Various claims are being amended as shown above. No new matter is being added by the amendment to the claims.

In the office action, claim 29 was objected to because certain informalities. In response to the objection, claim 29 is being amended above to correct the word lost to loss.

For the above reasons, Applicants request reconsideration and withdrawal of the objection to claim 29.

In the office action, claim 29 was rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In response to the rejection, claim 29 is being amended above to particularly point out and distinctly claim the subject matter which applicants regard as the invention. For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

In the office action, claim 15 was rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Junger, et al. (US 2004/0172260 A1). Applicants respectfully traverse the rejection.

Junger is directed to a product registration system, where a vendor checks a database to determine if a purchased product is being presented for return by a purchaser within the applicable return period. If so, then the vendor can accept the return of the purchased product. However, Junger is limited to displaying a message that a purchased product is not qualified for return. Junger does not disclose and does not suggest a method or system where programmed code that prevents a computer in processing the return of a purchased product if the return of the purchased product is blocked. Therefore, Junger does not disclose various features that are recited in claim 15. Accordingly, claim 15 is patentable over Junger.

For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. §102.

In the office action, claims 1-10, 12-14, 16-24, and 26-28 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Junger in view of Cales, et al. (US 2003/0135421 A1). Applicants respectfully traverse the rejection.

The Examiner correctly admits in the office action that Junger does not teach submitting, by the customer,, an order to purchase a product from a vendor and shipping the purchased product to the customer. In an attempt to overcome the deficiencies of Junger, the Examiner relies on Cales in an attempt to show various features.

Cales is directed to a buyer protection service that provides refunds to a buyer for lost products or defective products. Independent claim 1 distinguishes over the combination of Junger and Cales at least by reciting a method including "preventing a computer in processing the return of the purchased product if the return of the purchased product is blocked ", and such recited features are not disclosed or are not suggested by Junger and Cales. Accordingly, claim 1 is patentable over the combination of Junger and Cales.

Independent claims 13, 14, and 27 are being amended to recite various features that are not disclosed and are not suggested by the combination of Junger and Cales. Accordingly, claims 13, 14 and 27 are each patentable over the combination of Junger and Cales.

Claims 2-10, 12, 16-24, 26, and 28 depend from of claims 1, 13, 14, 15, and 27 and are each patentable over the combination of Junger and Cales for at least the same reasons that claims 1, 13, 14, 15, and 27 and are each patentable over the cited references, considered singly or in combination. Furthermore, each of the claims 2-10, 12, 16-24, 26, and 28 distinguishes over the combination of Junger and Cales by reciting additional features in combination with the features recited in their respective base claims. Accordingly, claims 2-10, 12, 16-24, 26, and 28 are each patentable over the combination of Junger and Cales.

For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. §103.

In the office action, claims 11 and 25 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Junger and Cales and further in view of Nancy Paradis' "Slow-moving Refund Suddenly Picked up Speed Series: Action; Recent recalls", St. Petersburg Times, Dec. 9, 2002, page 2D. Applicants respectfully traverse the rejection.

The Examiner correctly admits in the office action that Junger/Cales does not teach blocking the return of the purchased product to prevent a refund to the customer of the purchased product. In an attempt to overcome the deficiencies of Junger/Cales, the Examiner relies on Paradis in an attempt to show various features.

Claims 11 and 25 depend from one of claims 1 and 15 and are each patentable over the Junger-Cales-Paradis

combination for at least the same reasons that claims 1 and 15 are patentable over the cited references, considered singly or in combination. Furthermore, each of the claims 11 and 25 distinguishes over the Junger-Cales-Paradis combination by reciting additional features in combination with the features recited in their respective base claims. Accordingly, claims 11 and 25 are each patentable over the Junger-Cales-Paradis combination.

For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. §103.

In the office action, claims 29 and 30 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Geof Wheelwright's "The Elusive Exchange Desk for Online Purchases: Who Hears Complaints?", National Post, June 21, 1999, page E4 in view of Cales. Applicants respectfully traverse the rejection.

The Examiner correctly admits in the office action that Wheelwright does not teach submitting, by the customer, an order to purchase a product from a vendor, shipping the purchased product to the customer, and investigating a possible loss of the purchased product. In an attempt to overcome the deficiencies of Wheelwright, the Examiner relies on Cales in an attempt to show various features.

Independent claim 29 distinguishes over the combination of Wheelwright and Cales, at least by reciting a method including "if the customer returns one of the purchased product or the replacement product, then accepting a return of the purchased product or the

replacement product and preventing a credit of a customer account of the customer", and such recited features are not disclosed or are not suggested by Wheelwright-Cales combination. As discussed in the filed application, this feature advantageously prevents a no net charge condition to the customer's credit account after a replacement product is shipped to the customer and the customer returns one of the two received products. Accordingly, claim 29 is patentable over Wheelwright-Cales combination.

Claims 30 depends from claim 29 and is patentable over the Wheelwright-Cales combination for at least the same reasons that claim 29 is patentable over the cited references, considered singly or in combination. Furthermore, claim 30 distinguishes over the Wheelwright-Cales combination by reciting additional features in combination with the features recited in its respective base claim. Accordingly, claims 29 and 30 are each patentable over the Wheelwright-Cales combination.

For the above reasons, Applicants request reconsideration and withdrawal of the rejection under 35 U.S.C. §103.

Applicant respectfully requests allowance of all pending claims.

CONTACT INFORMATION

If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (805) 681-5078.

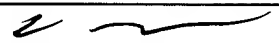
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Respectfully submitted,
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